

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS**

**CHAPTER 13 PLAN AND COVER SHEET**

Filing Date: November 6, 2014

Docket #: 14-15219-WCH

Debtor: **Mary E. Crowley**

Co-Debtor:

SS#: XXX-XX-1944

SS#:

Address:

7 Covelli Avenue  
Onset, MA 02558

Mailing Address:

**PO Box 169  
Onset, MA 02558**

Debtor's Counsel: Vicki L. Mitchell, Esquire

BBO# 550708

Address: Merchant Square

P.O. Box 1048

Sandwich, MA 02563-1048

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ATTACHED TO THIS COVER SHEET IS THE CHAPTER 13 PLAN FILED BY THE DEBTOR(S) IN THIS CASE. THIS PLAN SETS OUT THE PROPOSED TREATMENT OF THE CLAIMS OF CREDITORS. THE CLAIMS ARE SET FORTH IN THE BANKRUPTCY SCHEDULES FILED BY DEBTOR(S) WITH THE BANKRUPTCY COURT.

YOU WILL RECEIVE OR HAVE RECEIVED A SEPARATE NOTICE FROM THE BANKRUPTCY COURT OF THE SCHEDULED CREDITORS' MEETING PURSUANT TO 11 U.S.C. §341. THAT NOTICE WILL ALSO ESTABLISH THE BAR DATE FOR FILING PROOFS OF CLAIMS.

PURSUANT TO THE MASSACHUSETTS LOCAL BANKRUPTCY RULES, YOU HAVE UNTIL THIRTY (30) DAYS AFTER THE SECTION 341 MEETING TO FILE AN OBJECTION TO CONFIRMATION OF THE CHAPTER 13 PLAN, WHICH OBJECTION MUST BE SERVED ON THE DEBTOR, DEBTOR'S COUNSEL AND THE CHAPTER 13 TRUSTEE.

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS**

**CHAPTER 13 PLAN**

Docket #: 14-15219-WCH

DEBTORS: (H)

SS#

(W)

**Mary E. Crowley**

SS#

XXX-XX-1944

TERM OF THE PLAN 60 Months

(If the plan is longer than thirty-six (36) months, a statement of cause pursuant to 11 U.S.C. §1322(d) must be attached hereto.)

***Pursuant to 11 U.S.C. §1322(d), the Debtor(s) state(s) that he/she requires a Sixty (60) month plan because of his/her monthly income to expense ratio.***

PLAN PAYMENT: Debtor(s) to pay monthly: **\$2,002.00**I. SECURED CLAIMS

## A. CLAIMS TO BE PAID THROUGH THE PLAN (INCLUDING ARREARS):

<u>Creditor</u>	<u>Description of claim (pre-petition arrears, purchase money, etc.)</u>	<u>Amount of claim</u>
1. Bank of America	Pre-Petition Mortgage Arrears	\$ 0.00 (7 Covelli Ave) *
2. Rockland Trust	Pre-Petition Mortgage Arrears	\$57,652.99 (3 Properties)
3. Ocwen Loan Servicing	Pre-Petition Mortgage Arrears	\$ 0.00 (18 Railroad)
4. TD Bank	Pre-Petition Mortgage Arrears	\$ 0.00 (104 Onset Ave)
5. Mass. Dept. of Revenue	Mass. State Tax Lien	\$ 9,699.09

\* In July 2014 the Debtor submitted a loan modification application to Bank of America through American Mitigation services. The loan modification has not yet been approved, however the Debtor intends to continue perusing the modification and will file a motion for approval of same.

Total of secured claims to be paid through the Plan    \$67,352.08

## B. CLAIMS TO BE PAID DIRECTLY TO CREDITORS (Not through Plan):

<u>Creditor</u>	<u>Description of Claim</u>
1. Bank of America	Post-Petition Mortgage Payments
2. Rockland Trust	Post-Petition Mortgage Payments
3. Ocwen Loan Servicing	Post-Petition Mortgage Payments
4. TD Bank	Post-Petition Mortgage Payments

II. PRIORITY CLAIMS

<u>Creditor</u>	<u>Description of claim</u>	<u>Amount of claim</u>
1. Internal Revenue Service	2011 Form 1040 Taxes	\$10,678.10
2. Town of Wareham	2013-2014 Sewer/Water Tax	\$ 5,354.90
3.		\$
Total of priority claims to be paid through the plan		\$16,033.00

III. ADMINISTRATIVE CLAIMS

A. Attorneys fees to VICKI L. MITCHELL, ESQ. (to be paid through the plan): \$500.00  
(to be paid in first 12 months of plan)

B. Miscellaneous fees: None

<u>Creditor</u>	<u>Description of claim</u>	<u>Amount of claim</u>
1. None		\$0.00
2.		\$

C. The chapter 13 trustee's fee is determined by order of the United States Attorney General. The calculation of the Plan payment set forth below utilizes a 10% trustee's commission. In the event that the trustee's commission is less than 10%, the additional funds collected by the trustee shall be disbursed to unsecured creditors up to 100% of the allowed claims.

IV. UNSECURED CLAIMS

The general unsecured creditors shall receive a dividend of 100% of their claims.

A. General unsecured claims: \$24,210.05

B. Undersecured claims arising after lien avoidance/cramdown:

<u>Creditor</u>	<u>Description of claim</u>	<u>Amount of Claim</u>
1. None		\$0.00
2.		\$

Total of A + B general unsecured claims: \$24,210.05

C. Multiply total by percentage of dividend: \$24,210.05  
(Example: Total of \$38,500.00 x .22 dividend = \$8,470.00)

D. Separately classified unsecured claims (co-borrower/student loan, etc.):

<u>Creditor</u>	<u>Description of claim</u>	<u>Amount of claim</u>
1. None	Non-Dischargeable Student Loan	\$0.00
2.		\$
3.		\$
	Total:	\$
Total amount of separately classified claims payable at <u>100%</u>		\$0.00

V. OTHER PROVISIONS

A. Liquidation of assets to be used to fund plan: Not Applicable

B. Modification of Secured Claims: Set forth details of modifications below or on attached sheets. This information should include name of creditor and detailed explanation of the modification. The total amount of the secured claim that is to be paid through the plan (inclusive of interest) should be set forth in Section I of this Plan.

Not Applicable

C. Miscellaneous provisions: *Pursuant to 11 U.S.C. §1322(d), the debtor(s) require a sixty (60) month plan because of the debtor's monthly income to expense ratio.*

VI. CALCULATION OF PLAN PAYMENT

a. Secured claims (Section I-A Total): \$67,352.08

- b. Priority claims (Section II Total): +\$16,033.00
- c. Administrative claims (Section III A + B Total): +\$ 500.00
- d. General unsecured claims (Section IV-C Total): +\$24,210.05
- e. Separately classified unsecured claims  
(Section IV-D Total): +\$ 0.00
- f. Total of (a) through (e) above: =\$108,095.13
- g. Divide (f) by .90 for total including  
Trustee's fee: **\$12,010.57** Cost of Plan =\$120,105.70  
(This represents the total amount to be paid into the chapter 13 plan)
- h. Divide (g) Cost of Plan by Term of plan: **60** months
- i. Round up to nearest dollar: Monthly Plan Payment: **\$2,002.00**  
(Enter this amount on page 1)

Pursuant to 11 U.S.C. 1326(a) (1), unless the Court orders otherwise, a debtor shall commence making the payments proposed by a plan within thirty (30) days after the plan is filed.

### LIQUIDATION ANALYSIS

I. Real Estate: *Please see Schedules "A" & "D"*

<u>Address</u>	<u>Fair Market Value</u>	<u>Recorded Liens (Schedule D)</u>
1. Total six (6) properties	\$1,270,000.00	\$896,861.94
2.	\$	\$
3.	\$	\$

Total Net Equity for Real Property: \$373,138.06

Less Exemptions (Schedule C): \$ 0.00

Available Chapter 7: \$373,138.06

II. Automobile (Describe year, make and model):

1. 1999 Audi Quattro 4	Value \$658.00	Lien \$ 0.00	Exemption \$ 0.00
2.	Value \$	Lien \$	Exemption \$

Net Value of Equity: \$658.00

Less Exemptions (Schedule C): \$658.00  
Available Chapter 7: \$ 0.00

III . All other Assets (All remaining items on Schedule B):  
(Itemize as necessary)

Value: \$11,020.54 Less Exemptions (Schedule C): \$ 11,020.54  
Available Chapter 7: \$ 0.00

SUMMARY (Total amount available under Chapter 7): \$373,138.06

Net Equity (I and II) Plus Other Assets (III) less all claimed exemptions: \$373,138.06

Additional Comments regarding Liquidation Analysis: None

Pursuant to the Chapter 13 rules, the debtor or his or her counsel is required to serve a copy of the Amended Plan upon the Chapter 13 trustee, all creditors and interested parties, and to file a certificate of service accordingly.

  
Debtor's Counsel Date: November 24, 2014  
/s/Vicki L. Mitchell, Esquire  
BBO# 550708  
P.O. Box 1048  
Sandwich, MA 02563-1048

Telephone #: 508-888-4094  
Facsimile: 508-833-3806  
Email: [mitchelllaw@cape.com](mailto:mitchelllaw@cape.com)

I/WE DECLARE UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING REPRESENTATIONS OF FACT ARE TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

/s/Mary E. Crowley  
Mary E. Crowley, Debtor Date: November 24, 2014

/s/  
Debtor Date:

**CERTIFICATE OF SERVICE**

I, Vicki L. Mitchell, attorneys for the Debtor(s), hereby certify that on November 24, 2014, a copy of the foregoing Debtor's Chapter 13 Plan was electronically filed pursuant to Electronic Filing Rule 9; faxed pursuant to MLBR 5005-4 or mailed (via first class mail postage prepaid) to the below listed parties that are not electronically registered.

Clerk's Office  
United States Bankruptcy Court  
John W. McCormack Post Office & Court House  
5 Post Office Square, 11<sup>th</sup> Floor  
Boston, MA 02109

Carolyn Bankowski, Esq.  
Chapter 13 Trustee  
Chapter 13 Trustee's Office  
P.O. Box 8250  
Boston, MA 02114-0033

All creditors and interested parties on debtor's Master Mailing List attached hereto.

/s/Vicki L. Mitchell, Esquire

BANK OF AMERICA, N.A.  
PO BOX 15222  
WILMINGTON, DE 19886

BERKSHIRE HEALTH SYSTEMS  
PO BOX 4999  
PITTSFIELD, MA 01202

CHASE BANK USA, N.A.  
CREDITORS BANKRUPTCY SVC.  
PO BOX 740933  
DALLAS, TX 75374

CITIBANK, NA CITICARDS  
CITI AT&T UNIVERSAL MASTERCARD  
PO BOX 182564  
COLUMBUS, OH 43218

FALMOUTH HOSPITAL  
PO BOX 55395  
BOSTON, MA 02205

INTERNAL REVENUE SERVICE  
PO BOX 7346  
PHILADELPHIA, PA 19101

JACK MIKELS & ASSOC.  
FOR: ROCKLAND TRUST  
1 BATTERYMARCH PARK  
STE. 309  
QUINCY, MA 02169

MASS. DEPT. OF REVENUE  
BANKRUPTCY UNIT  
PO BOX 9564  
BOSTON, MA 02114

NATIONWIDE CREDIT, INC.  
FOR: CHASE BANK USA  
PO BOX 26314  
LEHIGH VALLEY, PA 18002

NCB MANAGEMENT  
FOR: BANK OF AMERICA  
PO BOX 1099  
LANGHORNE, PA 19047



OCWEN LOAN SERVICING  
PO BOX 79135  
PHOENIX, AZ 85062

SOUTHCOAST HOSP. GROUPS  
PO BOX 11357  
BOSTON, MA 02211

TD BANK MASSACHUSETTS  
PO BOX 8400  
LEWISTON, ME 04243

TOWN OF WAREHAM  
TREASURER/COLLECTOR  
PO BOX 981055  
BOSTON, MA 02298

UNITED COLLECTIONS BUREAU  
FOR: CITIBANK/AT&T CITI  
PO BOX 140310  
TOLEDO, OH 43614